

JAN 24 2007

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**FACSIMILE TRANSMITTAL SHEET**

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**TO:** Examiner Melanie R. Tyson – Group 3731

**FIRM/COMPANY:** U.S. Patent and Trademark Office  
Mail Stop Amendment

**FACSIMILE NUMBER:** 571.273.8300

**CONFIRMATION  
TELEPHONE:**

**FROM:** Edward J. Lynch

**DIRECT DIAL:** 415.957.3067

**DATE:** January 24, 2007

**USER NUMBER:** 5119

**FILE NUMBER:** Attorney Docket No. R0368-04000;  
Serial No. 10/716,329

**TOTAL # OF PAGES:** 13  
(INCLUDING COVERSHEET)

**MESSAGE:** Please find attached a **CORRECTED** Amendment and Response.  
Please disregard an Amendment and Response faxed to you earlier  
today for this case.  
Thank you.

**NOTE:** Original will not follow

**CONFIDENTIALITY NOTICE**

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If there is a problem with this transmission, please call us as soon as possible at 415.957.3000.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
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JAN 24 2007

In re the application of  
Burbank et al.

Examiner: Melanie R. Tyson

Group Art Unit: 3731

For: **TENACULUM-LIKE DEVICE FOR  
INTRAVAGINAL INSTRUMENT  
DELIVERY**

**AMENDMENT AND RESPONSE  
TO OFFICE ACTION MAILED  
11/02/2006**

Serial No.: 10/716,329

Filed: November 18, 2003

Docket No.: R0368-04000

## CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Examiner Melanie R. Tyson, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 24, 2007, in San Francisco, CA.

By: 

Sirpa Kirjonen

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 11/02/2006.

2. Claim Fee Calculation

☒ No additional claim fee is required.  
☐ Amendment increases number of claims or multiple dependencies.

## Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	1201	2-9=	0 x	\$200=	\$0
Total Claims	1202	14-53=	0 x	\$50=	\$0

Fees Due.....\$0

3. ☒ Applicants herein withdraw claim to small entity status.

4. Payment of Fees

☒ Enclosed is a check for the total fees due in the amount of \_\_\_\_.  
☒ The Commissioner is authorized to charge any fees due, and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000. A duplicate copy of this document is enclosed for fee processing.

By: 

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Registration No. 24,422  
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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Burbank et al.

) Examiner: Melanie R. Tyson  
)  
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) Group Art Unit: 3731  
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Commissioner for Patents  
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**COPY**

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Group Art Unit: 3731

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**TO OFFICE ACTION MAILED**  
**11/02/2006**

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By:   
Sirpa KirjoneMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed November 2, 2006, please  
amend the above identified application as follows: